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PATENT
Attorney Docket No. 201804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KUMP et al.

Art Unit: 1745

Application No. 09/379,051

Examiner: C. Chaney

Filed: August 23, 1999

For: **SEALED LEAD-ACID CELLS AND
BATTERIES HAVING AN
EXPANDABLE COVER**

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

OFFICIAL

In response to the Office Action dated August 10, 2001, please consider the following remarks and enclosed documents.

REMARKS

Pending Claims

Claims 1-17 are pending in this reissue application.

Rejections

All of the pending claims are presently rejected under 35 U.S.C. § 251 and 37 C.F.R. § 1.175 as based upon a defective declaration. A supplemental declaration in accordance with 37 C.F.R. § 1.175(b)(1) is submitted herewith to moot this rejection.

Also submitted herewith is the supplemental Assent of Assignee.

Surrender Of Original Patent

The Office Action further noted that the original patent must be received before the application can be allowed. Accordingly, the original patent will be filed under separate cover by messenger upon indication that the application is otherwise allowable.

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